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ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**DECL. OF ANDREW D. SILVERMAN IN
SUPPORT OF ORACLE'S MOTIONS IN
LIMINE RE JAVA LANGUAGE
COMPATIBILITY AND ANCIENT APIS**

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

1 I, Andrew D. Silverman, declare and state as follows:

2 1. I am a member of the bars of the States of California, New York, and the District
3 of Columbia, admitted to practice before this Court, and an associate with the law firm of Orrick,
4 Herrington & Sutcliffe LLP (“Orrick”), attorneys of record for plaintiff Oracle America, Inc.
5 (“Oracle”). I am familiar with the events, pleadings and discovery in this action and, if called
6 upon as a witness, I could and would testify competently to the matters stated herein of my own
7 personal knowledge. I submit this declaration in support of Oracle’s Motions *in Limine*
8 Regarding Java Language Compatibility and Ancient APIs.

9 2. Attached hereto as Exhibit A is a true and correct copy of the relevant excerpts of
10 the Opening Expert Report of Roderic G. Cattell, Ph.D., dated January 8, 2016.

11 3. Attached hereto as Exhibit B is a true and correct copy of the relevant excerpts of
12 an article by M. M. Astrahan, et al., *System R: Relational Approach to Database Management*,
13 ACM Transactions on Database Systems Vol. 1, No. 2, 97 (1976).

14 4. Attached hereto as Exhibit C is a true and correct copy of the relevant excerpts of
15 the Deposition of Owen Astrachan, dated March 14, 2016.

16 5. Attached hereto as Exhibit D is a true and correct copy of the relevant excerpts of
17 the Deposition of Owen Astrachan, dated September 9, 2011.

18 6. Attached hereto as Exhibit E is a true and correct copy of the relevant excerpts of
19 the Linux kernel license, available at <https://www.kernel.org/pub/linux/kernel/COPYING>, last
20 accessed April 28, 2016.

21 I declare under penalty of perjury under the laws of the United States the foregoing is true
22 and correct.

23 Executed this 29th day of April, 2016, at New York, NY.

24 /s/ Andrew D. Silverman